

# **EXHIBIT A**



Pillsbury Winthrop Shaw Pittman LLP  
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June 10, 2016

Irigo Group Corporation and Irigo Display Devices Co., Ltd.  
1 Caihong Road, Xianyang  
712000 Shaanxi  
China

**Re: In re Cathode Ray Tube Antitrust Litigation**

To Whom It May Concern:

You were previously represented by Pillsbury Winthrop Shaw Pittman LLP ("Pillsbury") in antitrust litigation related to cathode ray tubes. This litigation occurred in the United States District Court for the Northern District of California under case number CV-07-5944 SC. This litigation remains in progress in the same court under case number 3:07-CV-05944-JST.

In June 2010, Pillsbury withdrew as your counsel from this case. As you are aware, as a condition to the withdrawal, the Court ordered Pillsbury to accept service of papers in this case on your behalf and to forward those papers to you. The order stated that Pillsbury's forwarding obligation would end once substitute counsel appeared in this case on your behalf. After nearly six years, you have not obtained new counsel.

Pillsbury is seeking an order from the Court to terminate Pillsbury's obligation to accept service of and forward papers to you. A copy of our proposed motion and the proposed order is attached. We expect to file these papers (in the same or similar form) as well as supporting materials on or before June 17, 2016.

If you wish to continue receiving these papers you must take action, such as obtaining substitute counsel to appear in this case on your behalf or registering with the court's electronic filing system at <https://www.pacer.gov/>. If you choose to register with the court's electronic filing system, you will be able to access papers filed in this litigation at <https://ecf.cand.uscourts.gov/cgi-bin/login.pl>.

Very truly yours,

A handwritten signature in blue ink that reads "Dianne L. Sweeney".

Dianne L. Sweeney  
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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

IN RE: CATHODE RAY TUBE (CRT)  
ANTITRUST LITIGATION

This Document Relates to:  
ALL ACTIONS

Case No.: 3:07-cv-05944-JST

MDL NO. 1917

**MOTION FOR ADMINISTRATIVE  
RELIEF UNDER CIVIL LOCAL RULE  
7-11 TO TERMINATE PILLSBURY'S  
OBLIGATION TO FORWARD  
PLEADINGS TO ITS FORMER  
CLIENTS**

Judge Jon S. Tigar

On June 23, 2010, Pillsbury Winthrop Shaw Pittman LLP (“Pillsbury”), then counsel of record for defendants Irico Display Devices Co., Ltd. and Irico Group Corporation (the “Irico Entities”), moved to withdraw as attorneys of record for said entities. On June 24, 2010, this Court granted Pillsbury’s withdrawal motion subject to a temporary obligation: “Pillsbury must continue to accept service of papers for the Irico Entities *for forwarding purposes until substitute counsel appears on behalf of the Irico Entities.*” Nearly six years have passed since the Order was issued, and Pillsbury remains subject to the forwarding obligation which over time has been burdensome and an unnecessary use of Pillsbury’s resources.

For the reasons detailed below and pursuant to Civil Local Rule 7-11 of the United States District Court for the Northern District of California, Pillsbury respectfully requests that the Court terminate Pillsbury’s obligation under the Order.

#### **PILLSBURY WAS TERMINATED AS COUNSEL OF RECORD IN 2010**

On June 23, 2010, Pillsbury moved to withdraw as attorneys of record for the Irico Entities on the grounds that Pillsbury had ceased its representation of the Irico Entities. Motion for Leave to Withdraw of Pillsbury Winthrop Shaw Pittman LLP, Dkt. No. 729 (“Withdrawal Motion”). The Court granted the motion but, at the request of two other parties (specifically, the Direct Purchaser Plaintiffs and the Indirect Purchaser Plaintiffs), the Court conditioned Pillsbury’s withdrawal on a temporary obligation: “Pillsbury must continue to accept service of papers for the Irico Entities for forwarding purposes until substitute counsel appears on behalf of the Irico Entities.” Order Granting Pillsbury’s Motion for Leave to Withdraw, Dkt. No. 732 (“Order”), at 1:25-2:4. The Court imposed this condition pursuant to Civil Local Rule 11-5(b).

After nearly six years of forwarding service, Pillsbury has more than fulfilled the temporary transition duty contemplated by Civil Local Rule 11-5(b). *See* Declaration of Susan L. Macken in Support of Pillsbury’s Motion for Administrative Relief (“Macken Decl.”), ¶ 2; Declaration of Dianne L. Sweeney in Support of Pillsbury’s Motion for Administrative Relief (“Sweeney Decl.”), ¶ 3. Notwithstanding the significant passage of time, the Irico Entities remain without new counsel in this action.

1 Since September 30, 2014, Susan Macken has been the Pillsbury employee primarily  
2 responsible for forwarding the papers (by email) to the Irico Entities. Macken Decl., ¶ 2. She  
3 took over this responsibility when the previously responsible employee retired. *Id.* Within the  
4 last year alone, Macken has forwarded more than 800 emails to the Irico Entities. *Id.* at ¶ 3.  
5 Notwithstanding the hundreds of emails that Macken has forwarded, she has never received a  
6 confirmation of receipt or any other communication from the Irico Entities in response to her  
7 forwards. *Id.* at ¶ 2.

8 Moreover, there is no longer any contact between the Irico Entities and the Pillsbury  
9 lawyers who were responsible for this case. Indeed, over the last six years, the Pillsbury  
10 attorneys who were involved in representing the Irico Entities have all either retired or ceased  
11 working at Pillsbury. Sweeney Decl., ¶ 2.

12 Whatever the future of the Irico Entities in this matter, Pillsbury should not be required to  
13 continue to dedicate its time and resources to entities that have not been clients of the firm for  
14 nearly six years.

15 **PILLSBURY MET AND CONFERRED WITH THE OBJECTING PARTIES IN**  
16 **AN ATTEMPT TO AVOID A CONTESTED MOTION**

17 In advance of filing this motion, Pillsbury met and conferred with the parties that objected  
18 to the motion, the Direct Purchaser Plaintiffs and the Indirect Purchaser Plaintiffs (“Objecting  
19 Parties”). The Objecting Parties would not stipulate to release Pillsbury from its forwarding  
20 duties as they wanted Pillsbury to continue to forward documents to the Irico Entities to allow the  
21 Objecting Parties time to obtain default judgments against the Irico Entities. While the Objecting  
22 Parties ultimately offered to limit Pillsbury’s ongoing obligations to only certain documents  
23 (identified by the Objecting Parties and related to the default), Pillsbury rejected this offer as  
24 Pillsbury, as former counsel, has no authority to act for the Irico Entities and, as detailed above,  
25 Pillsbury has no ongoing communications with its former clients and none of the lawyers who  
26 had the relationship are still with the firm. Additionally, Pillsbury has no desire to be involved in  
27 any future dispute as to whether the forwarding of documents by former counsel can, in turn, be  
28

1 deemed proper service of process years after the attorney-client relationship was terminated.

## 2 **SERVICE OF THIS MOTION ON THE IRICO ENTITES**

3 As Pillsbury has no ongoing communication with the Irico Entities (other than the one-  
4 way forwarding of the documents by Pillsbury), Pillsbury sent the motion papers, including the  
5 proposed order, to the Irico Entities on June 10, 2016. Sweeney Decl., ¶ 4; *see* Exhibit A to  
6 Sweeney Decl. (letter sent by Pillsbury to the Irico Entities). Pillsbury sent these documents to  
7 the last known address of the Irico Entities via email, fax, and certified mail. Sweeney Decl., ¶ 4.  
8 As of the date of the Sweeney Declaration, Pillsbury has not received a response. *Id.*

## 9 **GOOD CAUSE EXISTS**

### 10 **TO TERMINATE PILLSBURY'S FORWARDING OBLIGATION**

11 In light of the above, good cause exists for terminating Pillsbury's obligation under the  
12 Order. Substitute counsel still has not appeared for the Irico Entities and Pillsbury's emails are  
13 met with silence. There is no reasonable basis to continue to burden Pillsbury and its staff with  
14 an obligation to send papers to a former client for nearly six years.<sup>1</sup>

15 Given that the Irico Entities have neither obtained substitute counsel nor confirmed their  
16 receipt of Pillsbury's emails for nearly six years, the Court's termination of Pillsbury's obligation  
17 under the Order will not result in any prejudice to the Irico Entities or any other litigant or any  
18 harm to the administration of justice, and it will not cause any delay in the resolution of this case.  
19 As part of this motion, Pillsbury has provided the fax number and mailing and email addresses  
20 that Pillsbury has in this matter (*see* proof of service filed herewith). Any party to this action can  
21 use such information or, given the passage of time, can undertake their own efforts to investigate  
22 how to best contact the Irico Entities.

23 After nearly six years, the other parties to this action, including the Objecting Parties,

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25 <sup>1</sup> *See, e.g., Best Deals on TV, Inc. v. Naveed*, No. C 07-01610 SBA, 2008 WL 2477390, at \*5  
26 (N.D. Cal. June 18, 2008) (limiting withdrawing counsel's obligation under Civil Local Rule  
27 11-5(b) to "the next 45 days or until the [Clients] appear by other counsel or pro se"); *Applied*  
28 *Materials, Inc. v. Multimetrixs, LLC*, No. C06-07372 MHP, 2008 WL 2892453, at \*10 (N.D.  
Cal. July 22, 2008) (limiting withdrawing counsel's obligation under Civil Local Rule 11-5(b)  
by ordering former client to retain substitute counsel within 30 days).

1 should be held to be responsible to take whatever steps they believe are legally appropriate as to  
2 the Irco Entities. There is, however, no reasonable basis to continue to compel Pillsbury to have  
3 any role in this matter. The future of this action should be left in the hands of the current parties.

4 Accordingly, Pillsbury respectfully requests that it be released from the forwarding  
5 obligation that was imposed on Pillsbury in the June 24, 2010 Order.

6  
7 Dated: June \_\_\_, 2016.

8  
9 By \_\_\_\_\_  
10 Dianne L. Sweeney  
11 Attorney for Non-Party  
12 PILLSBURY WINTHROP SHAW PITTMAN LLP  
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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

IN RE: CATHODE RAY TUBE (CRT)  
ANTITRUST LITIGATION

Case No.: 3:07-cv-05944-JST

MDL NO. 1917

This Document Relates to:

ALL ACTIONS

**[PROPOSED] ORDER GRANTING  
PILLSBURY'S MOTION FOR  
ADMINISTRATIVE RELIEF UNDER  
CIVIL LOCAL RULE 7-11 TO  
TERMINATE PILLSBURY'S  
OBLIGATION TO FORWARD  
PLEADINGS TO ITS FORMER  
CLIENTS**

Judge Jon S. Tigar



1 Non-party Pillsbury Winthrop Shaw Pittman LLP (“Pillsbury”) has moved the Court for  
2 an order terminating Pillsbury’s obligation, imposed by this Court’s Order Granting Pillsbury’s  
3 Motion for Leave to Withdraw (Dkt. No. 732), to accept service of papers for Irico Display  
4 Devices Co., Ltd. and Irico Group Corporation (the “Irico Entities”) for forwarding purposes  
5 until substitute counsel appears on behalf of the Irico Entities. Given the size and complexity of  
6 this action, there are extensive filings in this matter. Though it was reasonable to expect  
7 Pillsbury to forward such filings for a transitory period, Pillsbury has now had to comply with  
8 this obligation for nearly six years while waiting for the Irico Entities to obtain new counsel.  
9 Pillsbury has received no indication from the Irico Entities that they will appear through new  
10 counsel and it appears that the forwarding obligation has outlasted its intended purpose. The  
11 Irico Entities were served copies of this motion on June 17, 2016 and were sent an advance copy  
12 of this proposed order by Pillsbury via certified mail, facsimile, and email on June 10, 2016 (*See*  
13 *proofs of service dated June 10, 2016 and June 17, 2016; Sweeney Decl. ¶ 4*). Having considered  
14 Pillsbury’s Motion, and good cause appearing, the Court hereby GRANTS the Motion.

15 IT IS ORDERED that Pillsbury’s obligation to accept service of and forward papers to  
16 the Irico Entities under the June 24, 2010 order of this Court (Dkt. No. 732) is hereby terminated.  
17 Within one (1) court day of this order, Pillsbury shall send this order to the Irico Entities via  
18 email and certified mail.

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20 Dated: \_\_\_\_\_, 2016.

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23 \_\_\_\_\_  
United States District Judge Jon S. Tigar